

PROFESSIONAL ENGINEERS SECTION
Examining Board of Architects, Landscape Architects,
Professional Engineers, Designers and Land Surveyors
MINUTES
MADISON, WISCONSIN
JANUARY 8, 1999

PRESENT: Harvey Shebesta, Frank Fronczak, Lynda Farrar

EXCUSED: Sheila Pudelko, Nancy Sobczak

STAFF PRESENT: Alfred Hall, Michelle Krisher; Marlene Cummings, Wayne Austin, Darwin Tichenor, and Division of Enforcement staff were present for portions of the meeting.

GUESTS: Mel Mitchell, Wisconsin Society of Professional Engineers
Russ Kopidlansky, Wisconsin Society of Professional Engineers
Carol Godiksen, Wisconsin Association of Consulting Engineers

CALL TO ORDER

The meeting was called to order at 9:25 a.m. by Harvey Shebesta, Chair. A quorum of three members was present.

AGENDA

MOTION: Frank Fronczak moved, seconded by Lynda Farrar, to adopt the agenda as published.
Motion carried unanimously.

MINUTES (11/13/98)

MOTION: Lynda Farrar moved, seconded by Frank Fronczak, to approve the minutes as written.
Motion carried unanimously.

ADMINISTRATIVE REPORT

Secretary Cummings' Report

Secretary Marlene Cummings informed the Section of the proposed changes to the licensing fees for professional engineers, which are in the biennial budget bill submitted to the Department of Administration.

Secretary Cummings explained the national registration compact that is being developed for the nursing profession and noted that a compact could be developed for professional engineers that would provide for national mobility. The Section discussed issues relating to what kind of financial impact a national compact would have on the State of Wisconsin.

The Section was informed that Tom Neumann, Director of the Office of Education, will submit a summary of the issues relating to the nursing compact. The Section requested that Mr. Neumann be invited to the March meeting to explain the compact and answer any questions the Section may have regarding the development of the compact.

Bureau Director's Report

- **Applications Approved by Staff**
None.

- **Regulatory Digest**

The Section was informed of the continued need for articles for the Regulatory Digest.

- **To Pass Folder**

Information was circulated in the To Pass Folder and duly noted.

LEGISLATIVE UPDATE

Nothing to report.

ADMINISTRATIVE RULES UPDATE

Plan Submittal Requirements for an Architect or Professional Engineer Not Registered as an Architect or Professional Engineer in Wisconsin

The Section received Wayne Austin's January 12, 1998, rule draft relating to plan submittal requirements for architects or professional engineers not registered as an architect or professional engineer in Wisconsin. Wayne Austin explained that the rule draft is intended to address the problem that arises when an architect or engineer starts a project and then, for some reason or other, is not able to complete it.

Proposed A-E 2.02(8)(b) re: Use of Certificate in Conjunction with Plans and Specifications for Submittal

The Section received a copy of Randy Baldwin's November 19, 1998, memorandum, relating to the proposed rule change to allow the use of a certificate in conjunction with plans and specifications for submittal. Mr. Baldwin expressed concerns relating to plan stamping and the submission of forged plans.

The Section received the January 8, 1999, memorandum from the Wisconsin Society of Professional Engineers (WSPE), requesting further clarification of issues relating to the proposed rule change. Wayne Austin explained that the Society's interpretation of the first paragraph, saying that the A/E who prepared the plans is registered in another state and not in Wisconsin, is incorrect.

The Section received the January 7, 1999, letter from Jeffrey L. Kronser, President of the Wisconsin Association of Consulting Engineers (WACE), relating to concerns the Association has regarding the proposed rule. Carol Godiksen noted that the Association is concerned that the proposed rule could lead to an abuse of professional registration privileges.

MOTION: Frank Fronczak moved, seconded by Lynda Farrar, to support the rule draft, relating to the use of a certificate in conjunction with plans and specifications for submittal, and to refer the rule draft to the Rules Committee. Motion carried unanimously.

The Section requested that the rule draft be listed on the agendas for the Architects Section and the Designers Section.

SECTION MEMBER ACTIVITY

Alfred Hall informed the Section of Sheila Pudelko's resignation from the Professional Engineers Section. The Section requested that a letter be sent to Ms. Pudelko in appreciation for her services as a member of the Professional Engineers Section and the Joint Board. An article will also be included in the Regulatory Digest.

Lynda Farrar will become a member of the screening panel.

APPLICATION REVIEW-SELECTION OF FOREIGN CREDENTIAL EVALUATION SERVICE

Nothing to report.

PRACTICE ISSUES

Nothing to report.

EXAMINATION ISSUES

NCEES

• Proposal to Allow Use of Computers

The Section received letters from various state boards expressing examination security concerns relating to the NCEES proposal to allow the use of computers during the examination.

Darwin Tichenor informed the Section that he has received no written information from NCEES relating to the proposal to allow the use of computers during the examination. Mr. Tichenor stated that the proposal will be discussed at the NCEES national and regional meetings and suggested that a Section member attend the meetings.

Russ Kopidlansky distributed the WSPE January 8, 1999, memorandum and the results of a poll conducted by WSPE relating to examination security and fairness issues in the use of computers in examinations.

The Section requested that a letter be sent to NCEES relaying the Section's November 13, 1998, motion that the Section does support the philosophy of utilizing computers as an aid for candidates taking the engineering examination and has concerns related to examination security and the logistics associated with the use of computers. The Section requested that the WSPE January 8, 1999, memorandum and poll results also be submitted to NCEES.

- **Examination Security**

The Section received the November 20, 1998, memorandum from NCEES relating to following detailed procedures to ensure examination security. Darwin Tichenor explained examination security problems and the techniques utilized to assure examination security. Mr. Tichenor noted that the Office of Examinations closely monitors examination security and stated that the best security is to have well-trained proctors and a sufficient number of proctors at the examination site.

Article entitled, "High Security and High-Tech Cheating." Noted.

NCEES

Request for Information

Alfred Hall explained the December 10, 1998, memorandum from NCEES, requesting information relating to utilization of electronic technology in the practices of engineering and land surveying. Mr. Hall will complete the survey and submit to NCEES.

NABER Agreement

The Section received the November 25, 1998, memorandum from NCEES, relating to a draft agreement on engineering examination and licensure procedures between NCEES and the National Administration Board of Engineering Registration (NABER) of the People's Republic of China. Section members reviewed the agreement and had concerns, relating to what is meant by "exchange information on their examinations" as it pertains to examination security.

MOTION: Frank Fronczak moved, seconded by Lynda Farrar, that Darwin Tichenor draft a letter to NCEES, stating that the Board has no objection to proceeding with renewal of the agreement. The Board expresses some concern regarding the "exchange of information" and requests more information on NCEES statistics relating to examination reliability. Motion carried unanimously.

ACCREDITATION BOARD FOR ENGINEERING & TECHNOLOGY

Nothing to report.

MISCELLANEOUS CORRESPONDENCE/INFORMATION

Wisconsin Society of Professional Engineers Board of Engineers Professional Responsibility (BEPR) Rules of Operation

The Section received a copy of the Rules of Operations of the Wisconsin Society of Professional Engineers Professional Responsibility (BEPR), dated May, 1997. Mel Mitchell and Russ Kopidlansky explained that the BEPR mission is to educate WSPE members about professional practice and engineering ethics, to communicate with and educate the public on engineering issues, and to investigate professional misconduct complaints. The Section was informed that one initiative is to create a curriculum, relating to the ethics of engineering, that may be utilized by engineering schools. A final report will be sent to the Section once it is available. It is anticipated that the curriculum would be a national model.

The Section expressed concerns relating to professional misconduct being investigated by WSPE. Mr. Kopidlansky indicated that WSPE can only suspend WSPE membership as a form of discipline. Issues relating to communication of professional misconduct between the Section and WPSE were discussed. The Section had questions in terms of what type of communication mechanism would be utilized to inform the Section of professional misconduct. The Section discussed concerns relating to possible different conclusions formed by the Section and the Society in professional misconduct cases. The Section requested that WSPE develop information concerning the communication process and the point WSPE would contact the Section in regard to alleged professional misconduct.

Ms. Mitchell noted that an informal dialog has been scheduled for February 12, 1999, at the Concourse Hotel to allow for discussion of the issues relating to BEPR's mission. An invitation to the Section members and the Bureau Director will be forthcoming.

Accumulating Qualifying Engineering Experience

November 20, 1998, letter from Charles S. Gresser, P.E., and Wayne Austin's December 1, 1998, response, relating to the practice of applicants for licensure as professional engineers who are in the process of accumulating their qualifying engineering experience. Noted.

NEW BUSINESS

The Section discussed appointing a representative to attend the Central Zone meeting April 8-10, 1999, in Des Moines, Iowa.

MOTION: Lynda Farrar moved, seconded by Frank Fronczak, to appoint Harvey Shebesta as the NCEES regional meeting delegate. Motion carried unanimously.

The Section will hold election of officers at its March meeting.

The Section received the January 4, 1999, memorandum from Mel Mitchell, Executive Director of the Wisconsin Society of Professional Engineers, relating to WSPE's position on national registration for professional engineers, and an article describing WSPE's Board of Engineers Professional Responsibility. This information will be included on the March agenda for further discussion.

The Section requested that past minutes be reviewed for further information about any discussion or action the Section may have taken, relating to repealing the 12-year experience requirement for registration as a professional engineer.

RECESS TO CLOSED SESSION

MOTION: Lynda Farrar moved, seconded by Frank Fronczak, to convene the meeting in Closed Session pursuant to sections 19.85(1)(a), (b) and (f), Wis. Stats.: to consider the licensing or discipline of a person licensed by this section or the investigation of charges against such a person. Specifically, to discuss the issue of case status reports, case closings, examination issues, deliberations on stipulations that may be signed after printing of the agenda, pending applications, requests for reinstatement of licensure, and to hold class 1 hearings on denied applications of JOHN D. QUINLAN, BRIAN R. KRUEGER, JOHN J. STEINER, AND IGOR TUROV. Motion carried by a roll call vote: Lynda Farrar-yes; Frank Fronczak-yes; Harvey Shebesta-yes.

Open Session recessed at 11:50 a.m.

CLOSED SESSION

The Section received a copy of the Division of Enforcement Case Status Report.

John D. Quinlan, Brian R. Krueger, John J. Steiner, and Igor Turov appeared for class 1 hearings before the Section.

The Section deliberated on class 1 hearings, case status reports, and pending applications.

RECONVENE TO OPEN SESSION

By consensus, Open Session reconvened at 4:10 p.m.

VOTING ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION

HEARINGS ON DENIED APPLICATIONS

MOTION: Frank Fronczak moved, seconded by Lynda Farrar, to approve the application for registration as a professional engineer by approved degree and 8 years' experience for JOHN D. QUINLAN. Motion carried unanimously.

MOTION: Lynda Farrar moved, seconded by Frank Fronczak, to deny the eligibility application for the principles and practice of engineering examination for BRIAN R. KRUEGER. Motion carried unanimously.

MOTION: Frank Fronczak moved, seconded by Lynda Farrar, to approve the application for registration as a professional engineer by approved degree and 8 years' experience for JOHN J. STEINER. Motion carried unanimously.

MOTION: Frank Fronczak moved, seconded by Lynda Farrar, to approve the application for registration as a professional engineer by approved degree and 8 years' experience for IGOR TUROV. Motion carried unanimously.

APPLICATION REVIEW

MOTION: Frank Fronczak moved, seconded by Lynda Farrar, to approve the following applications reviewed by the Section on January 8, 1999. Motion carried unanimously.

FOR REGISTRATION AS A PROFESSIONAL ENGINEER

By the 16-Hour Written Examination--Granted-2

CIHA, PHILIP

POEHLS, JOAN

By Approved Degree Plus 8 years' Experience--Granted-13

AMELYAN, YURIY
KLAAS, FREDERICK
GRIFFIN, JOHN
HARRIS, COLLEEN
HASHEMIZADEH, HAMID
OHM, CHRISTOPHER
OROURKE, BRENDAN

PETERSON, ROBERT
PIGNET, THOMAS
QUINLAN, JOHN
ROBERTSON, BERNIE
STEINER, JOHN
TUROV, IGOR

FOR PRINCIPLES & PRACTICE OF ENGINEERING EXAMINATION

By 8 Years of Experience--Granted-9

ELNAGDY, MAHER
KORT, GREGORY
MUSIAL, LARRY
RAEBEL, CHRISTOPHER
STRASZEWSKI, EDWARD

VANDERTIE, WILLIAM
WALLSTEIN, ALEXANDER
WARD, RICHARD
WETZEL, TARA

MOTION: Lynda Farrar moved, seconded by Frank Fronczak, to deny the following applications reviewed by the Section January 8, 1999. Motion carried unanimously.

FOR PRINCIPLES & PRACTICE OF ENGINEERING EXAMINATION
By 8 Years of Experience--Deny-7

AHMAD, MOUD
CASPER, WAYNE
JACKSON, CHRISTOPHER
KRUEGER, BRIAN

NIKOLISH, BRANDON
OSTRENG, ROXANNE
SULLIVAN, THOMAS

SUCH OTHER ITEMS AS AUTHORIZED BY LAW

Nothing to report.

ADJOURNMENT

MOTION: Frank Fronczak moved, seconded by Lynda Farrar, to adjourn the meeting at 4:15 p.m.
Motion carried unanimously.

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